Remarks

Claims 1-20 remain pending in the Application.

Rejection under 103(a)

Claims 1-19

In the Office Action, the Examiner rejected Claims 1-19 under 35 U.S.C. §103 (a) as being unpatentable over Dickie (6,798,647). Applicant has reviewed Dickie and respectfully states that Dickie does not teach or render obvious the present invention for the following rationale.

With respect to Independent Claim 1, Applicant respectfully states that Claim 1 includes the features "A processing unit for an electronic instrument comprising... a housing comprising mechanical retention features for securely attaching a battery/input/output module." Support for the Claimed feature can be found throughout the Figures and Specification.

Applicant understands the Examiner to state that Dickie teacher the claimed feature of a battery/input/output module with element 104, a portable computer 104 (e.g., laptop, notebook, etc.). Applicant respectfully disagrees that a portable computer 104 (e.g., laptop, notebook, etc.) is the same as a battery/input/output module. Specifically, the battery/input/output module of the present claimed feature are clearly described in the Specification.

Applicant respectfully submits that page 11 of the specification clearly defines the battery/input/output module including in the description of Figures 2 and 3 wherein the battery/input/output module is described as "The battery/input/output module 110 houses a rechargeable energy storage device that is coupled to at least one of the contacts 125. The rechargeable energy storage device may be a battery or a capacitor. The energy storage device may be recharged by connecting an external power source to the power port 255. Alternatively, the energy storage device may be charged by inductively coupling

to a recharging circuit sealed within the module 110. In either case, the assembled instrument may be configured to be operated while recharging the energy storage device.

The module 110 may also house a wireless communications device (e.g. Bluetooth) that is coupled to at least one of the contacts 125. Although a wireless device may be embedded within the processing unit 105, embedding within the module 110 reduces the size of the processing unit 110 and maintains flexibility in input/output capability. FIG. 3 shows an end view of the processing unit 105 and the battery/input/output module 110. The ports 245, 250, and 255 are recessed to protect against impact. The housing of the module 110 may be molded from a resilient material, allowing the module to provide mechanical shock resistance to the embedded components. The module 110 may also be shaped to wrap around the processing unit 105 to provide shock resistance for the processing unit 105." (emphasis added).

Thus, Applicant respectfully submits the "battery/input/output module" words of the claim must be given their plain meaning. In other words, they must be read as they would be interpreted by those of ordinary skill in the art. In re Sneed, 710 F.2d 1544, 218 USPQ 385 (Fed. Cir. 1983). Moreover, as provided herein, the battery/input/output module terminology is clearly defined in the Specification and the Figures.

Therefore, Applicant respectfully submits that the portable computer of Dickie (including a processor 410, one or more storages 412 (e.g., RAM, ROM, hard disk, floppy disk, CD-ROM, DVD, etc.), an interface 414, the display 110, the keyboard 114, the mouse pad 116, and the status LCD 124) is clearly not a battery/input/output module as defined in the present Specification. Therefore, Applicant respectfully submits that the Examiner's statement that the battery/input/output module is taught or rendered obvious by a portable computer

is incorrect and therefore the rejection of Claim 1 is incorrect and should be withdrawn.

With respect to Independent Claim 8, Applicant respectfully states that Claim 8 includes the features "A portable battery/input/output module for a portable electronic instrument comprising:

a storage device for electric energy;

an exposed external electrical contact for transmitting electric power;

an exposed external electrical contact for receiving an electric signal input;

an exposed external electrical contact for transmitting an electrical signal output;

a housing comprising mechanical retention features for securely attaching a processing unit." Support for the Claimed feature can be found throughout the Figures and Specification.

Applicant understands the Examiner to state that Dickie teacher the claimed feature of a battery/input/output module with element 104, a portable computer 104 (e.g., laptop, notebook, etc.). Applicant respectfully disagrees that a portable computer 104 (e.g., laptop, notebook, etc.) is the same as a battery/input/output module. Specifically, the battery/input/output module of the present claimed feature are clearly described in the Specification.

Applicant respectfully submits that page 11 of the specification clearly defines the battery/input/output module including in the description of Figures 2 and 3 wherein the battery/input/output module is described as "The battery/input/output module 110 houses a rechargeable energy storage device that is coupled to at least one of the contacts 125. The rechargeable energy storage device may be a battery or a capacitor. The energy storage device may be recharged by connecting an external power source to the power port 255. Alternatively, the energy storage device may be charged by inductively coupling

to a recharging circuit sealed within the module 110. In either case, the assembled instrument may be configured to be operated while recharging the energy storage device.

The module 110 may also house a wireless communications device (e.g. Bluetooth) that is coupled to at least one of the contacts 125. Although a wireless device may be embedded within the processing unit 105, embedding within the module 110 reduces the size of the processing unit 110 and maintains flexibility in input/output capability. FIG. 3 shows an end view of the processing unit 105 and the battery/input/output module 110. The ports 245, 250, and 255 are recessed to protect against impact. The housing of the module 110 may be molded from a resilient material, allowing the module to provide mechanical shock resistance to the embedded components. The module 110 may also be shaped to wrap around the processing unit 105 to provide shock resistance for the processing unit 105." (emphasis added).

Thus, Applicant respectfully submits the "battery/input/output module" words of the claim must be given their plain meaning. In other words, they must be read as they would be interpreted by those of ordinary skill in the art. In re Sneed, 710 F.2d 1544, 218 USPQ 385 (Fed. Cir. 1983). Moreover, as provided herein, the battery/input/output module terminology is clearly defined in the Specification and the Figures.

Therefore, Applicant respectfully submits that the portable computer of Dickie (including a processor 410, one or more storages 412 (e.g., RAM, ROM, hard disk, floppy disk, CD-ROM, DVD, etc.), an interface 414, the display 110, the keyboard 114, the mouse pad 116, and the status LCD 124) is clearly not a battery/input/output module as defined in the present Specification. Therefore, Applicant respectfully submits that the Examiner's statement that the battery/input/output module is taught or rendered obvious by a portable computer

is incorrect and therefore the rejection of Claim 8 is incorrect and should be withdrawn.

With respect to Independent Claim 15, Applicant respectfully states that Claim 15 includes the features "A processing unit for an electronic instrument comprising... a housing comprising mechanical retention features for securely attaching a battery/input/output module; and

a portable battery/input/output module coupled with said portable processing unit, said battery/input/output module comprising:

a storage device for electric energy;

an exposed external electrical contact for transmitting electric power;

an exposed external electrical contact for receiving an electric signal input;

an exposed external electrical contact for transmitting an electrical signal output; and

a housing comprising mechanical retention features for securely attaching a processing unit." Support for the Claimed features can be found throughout the Figures and Specification.

As previously stated, Applicant respectfully disagrees that a portable computer 104 (e.g., laptop, notebook, etc.) is the same as a battery/input/output module. Specifically, the battery/input/output module of the present claimed feature are clearly described in the Specification.

Applicant respectfully submits that page 11 of the specification clearly defines the battery/input/output module including in the description of Figures 2 and 3 wherein the battery/input/output module is described as "The battery/input/output module 110 houses a rechargeable energy storage device that is coupled to at least one of the contacts 125. The rechargeable energy storage device may be a battery or a capacitor. The energy storage device may be recharged by connecting an external power source to the power port 255. Alternatively, the energy storage device may be charged by inductively coupling

to a recharging circuit sealed within the module 110. In either case, the assembled instrument may be configured to be operated while recharging the energy storage device.

The module 110 may also house a wireless communications device (e.g. Bluetooth) that is coupled to at least one of the contacts 125. Although a wireless device may be embedded within the processing unit 105, embedding within the module 110 reduces the size of the processing unit 110 and maintains flexibility in input/output capability. FIG. 3 shows an end view of the processing unit 105 and the battery/input/output module 110. The ports 245, 250, and 255 are recessed to protect against impact. The housing of the module 110 may be molded from a resilient material, allowing the module to provide mechanical shock resistance to the embedded components. The module 110 may also be shaped to wrap around the processing unit 105 to provide shock resistance for the processing unit 105." (emphasis added).

Thus, Applicant respectfully submits the "battery/input/output module" words of the claim must be given their plain meaning. In other words, they must be read as they would be interpreted by those of ordinary skill in the art. In re Sneed, 710 F.2d 1544, 218 USPQ 385 (Fed. Cir. 1983). Moreover, as provided herein, the battery/input/output module terminology is clearly defined in the Specification and the Figures.

Therefore, Applicant respectfully submits that the portable computer of Dickie (including a processor 410, one or more storages 412 (e.g., RAM, ROM, hard disk, floppy disk, CD-ROM, DVD, etc.), an interface 414, the display 110, the keyboard 114, the mouse pad 116, and the status LCD 124) is clearly not a battery/input/output module as defined in the present Specification. Therefore, Applicant respectfully submits that the Examiner's statement that the battery/input/output module is taught or rendered obvious by a portable computer

is incorrect and therefore the rejection of Claim 15 is incorrect and should be withdrawn.

For these reasons, Applicant respectfully submits that Claims 1, 8 and 15 are not taught or rendered obvious by Dickie and are therefore allowable. Thus, Applicant submits that the rejection under 35 U.S.C. §103 (a) is overcome. Accordingly, Applicant also respectfully submits that Claims 2-7, 9-15 and17-20 are dependent on independent Claims 1, 8 and 15 and that Claims 2-7, 9-15 and17-20 recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 2-7, 9-15 and17-20 are allowable as pending from allowable base Claims.

Claim 20

In the Office Action, the Examiner rejected Claim 20 under 35 USC 103(a) as being unpatentable over Dickie in view of Kamijo et al. (6,538,880) or Ross (5,859,628) Applicant has reviewed the cited references and respectfully submits that the present invention is not rendered obvious over in view of Kamijo et al. or Ross for the following rationale.

Applicant respectfully states that Claim 20 is dependent from an allowable Independent Claim 15. Therefore, Claim 20, which depends from an allowable Independent Claim 15, is also in condition for allowance as being dependent on an allowable base Claim and reciting further features of the present claimed invention.

Conclusion

In light of the above amendments and remarks, Applicant respectfully requests allowance of Claims 1-20.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,
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